



STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION

Chris Christie  
*Governor*  
Kim Guadagno  
*Lt. Governor*

Robert M. Czech  
*Chair/Chief Executive Officer*

**AGENDA OF REGULAR MEETING OF  
THE CIVIL SERVICE COMMISSION  
SEPTEMBER 5, 2012**

**Robert M. Czech, Chairperson**  
**Robert E. Brenner**  
**Thomas J. Perna**  
**Richard E. Williams**

**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENTS**

In the Matter of Temitayo Adeniyi  
Morris County  
Office of Temporary Assistance Department  
Release at the end of the working test period

In the Matter of Johnson Borrero, Jr.  
Motor Vehicle Commission  
Release at the end of the working test period

In the Matter of Glenn Brong  
Hunterdon Developmental Center  
Department of Human Services  
Removal

In the Matter of Thomas Hartje  
New Lisbon Developmental Center  
Department of Human Services  
Removal

In the Matter of Sherry L. Jacks  
New Lisbon Developmental Center  
Department of Human Services  
Suspension

In the Matter of Wallace Jamison  
Township of Jackson  
Fire District#2 Department  
Suspension

In the Matter of Marie Kolenda  
Hunterdon Developmental Center  
Department of Human Services  
Suspension

In the Matter of Terrell Lewis  
Trenton Psychiatric Hospital  
Department of Human Services  
Removal

In the Matter of Claudia Lopez  
City of Elizabeth  
Housing Authority  
Removal

In the Matter of Warren Sharper  
Judiciary The Superior Court of New Jersey  
Gloucester Vicinage  
Removal

In the Matter of Davon Vason  
New Lisbon Developmental Center  
Department of Human Services  
Release at the end of the working test period

In the Matter of Cynthia Wright  
New Lisbon Developmental Center  
Department of Human Services  
Removal

**RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN  
THE ABOVE CASES – SETTLEMENTS**

**ACTION:**

**A-2 RUBEN CARRERO**

Ruben Carrero, Police Officer, City of Newark, Police Department, 13-day suspension on charges of violation of Police Department rules and regulations regarding insubordination, demonstration of respect, responsibility of police officers, obedience to orders, conduct, neglect of duty and false statement.

Recommendation of the Administrative Law Judge – Modify the 13-day suspension to a five-day suspension.

**ACTION:**

**A-3 JULIUS PERSAUD**

Julius Persaud, Boiler Operator, City of Jersey City School District, release at the end of the working test period effective December 22, 2010.

Recommendation of the Administrative Law Judge – Uphold the release at the end of the working test period.

**ACTION:**

**A-4 CARMEN RIVERA**

Carmen Rivera, Police Communications Clerk, City of Newark, Police Department, 90-day suspension on charges of violation of Police Department rules and regulations, falsification and insubordination.

Recommendation of the Administrative Law Judge – Modify the 90-day suspension to a 30-day suspension.

**ACTION:**

**A-5 ERICKA ANDERSON**

Ericka Anderson, Customer Service Representative, City of Newark, Office of the Mayor, removal effective August 31, 2009, on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

**ACTION:**

**A-6 CHRISTOPHER ANGELINI**

Christopher Angelini, Police Officer, City of Trenton, Police Department, removal effective June 7, 2011, on the charge of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal.

**ACTION:**

**A-7 ALFRED N. AREZZO**

Alfred N. Arezzo, Construction Official, City of Hoboken, Administration Department, 30 working day suspension and removal effective February 17, 2011, on charges of insubordination, conduct unbecoming a public employee, misuse of public property and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the 30 working day suspension to a six-month suspension and modify the removal to a six-month suspension.

**ACTION:****A-8 PAUL AULD (CONSOLIDATION)**

Paul Auld, Cottage Training Technician, Woodbine Developmental Center, Department of Human Services, two removal effective February 26, 2011, and February 27, 2011, on charges of being absent from work as scheduled without permission but with giving proper notice of intended absence and chronic or excessive absenteeism from work.

Recommendation of the Administrative Law Judge – Grant the appointing authority's motion to dismiss the appeal as moot.

**ACTION:****A-9 SHAQUAYA LANE**

Shaquaya Lane, Senior Building Maintenance Worker, Trenton Psychiatric Hospital, Department of Human Services, removal effective March 4, 2011, on charges of unreasonable excuse for lateness more than fifteen minutes, chronic lateness, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Grant the appointing authority's motion for summary decision and uphold the removal.

**ACTION:**

**A-10 ANITA MCCLAIN (CONSOLIDATION)**

Anita McClain, Police Aide, City of Newark, Police Department, removal effective March 15, 2011, on charges of violation of Police Department rules and regulation regarding absence from duty for five days continuously, absence without leave and neglect of duty and request for enforcement of a settlement agreement regarding her five-month suspension.

Recommendation of the Administrative Law Judge – Modify the removal to resignation not in good standing.

**ACTION:****A-11 DONNELL THIGPEN**

Donnell Thigpen, Cottage Training Technician, North Jersey Developmental Center, Department of Human Services, removal effective February 3, 2011, on charges of physical or mental abuse of a patient, client, resident or employee, inappropriate physical contact or mistreatment of a patient, client, resident or employee, falsification, violation of a rule, regulation, policy, procedure, order or administrative decision, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

**ACTION:****A-12 VERONICA TUCKER**

Veronica Tucker, Senior Correction Officer, Central Office, Department of Corrections, 90 working day suspension on charges of conduct unbecoming a public employee, other sufficient cause, insubordination and violation of a rule, regulation, policy, procedure and order. This matter was held over from the August 15, 2012, Civil Services Commission meeting for cross exceptions.

Recommendation of the Administrative Law Judge – Modify the 90 working day suspension to a 17 working day suspension.

**ACTION:**

**A-13 SETIAWAN WIDJAYA**

Setiawan Widjaya, Correction Sergeant, South Woods State Prison, Department of Corrections, removal effective November 4, 2011, on charges of conduct unbecoming a public employee, neglect of duty, other sufficient cause, incompetency or inefficiency and violation of a rule, regulation, policy, procedure, order, or administrative decision.

Recommendation of the Administrative Law Judge – Uphold the removal.

**ACTION:****SECTION B – MISCELLANEOUS MATTERS**

- B-1** The Department of Labor and Workforce Development requests an upward salary re-evaluation for the title Wage Collection Referee.

**MEMORANDUM**

DATE: August 8, 2012  
TO: Civil Service Commission  
FROM: Kenneth Connolly, Director  
Division of Classification & Personnel Management  
SUBJECT: Change in State Classification Plan

**DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT**

The Department of Labor and Workforce Development (DOL&WD) requests an upward salary re-evaluation of the title Wage Collection Referee (P25-55993). The title is not part of a series and is restricted to use by DOL&WD.

The main function of the title is to conduct formal hearings throughout the state involving wage and/or benefit disputes between employees and employers. They interpret and apply relevant laws, regulations, policies and guidelines and have the singular authority to make formal, binding decisions and approve settlements related to these cases.

Wage Collection Referees previously had jurisdiction on cases involving up to \$ 2,000. Claims in excess of \$ 2000 were handled through the traditional judicial process. Due to changes in legislation, the Referees' now have jurisdiction over cases involving disputes of up to \$ 30,000.

Title specification modifications will be implemented pending the approval of this action.

Job content re-evaluations are based on an analysis of changes in education and experience requirements, problem solving and accountability factors. These factors were analyzed to determine if a substantial change in job content exists. The result of our research indicates the compensable factors have increased sufficiently, causing the title's class code to be raised by one.

Attached is documentation that the negotiation representative notice required by NJAC 4A:3-3.3(f) has been made.

**CHANGE IN SALARY RANGE**  
**Effective: 1/28/2012**

**FROM:**  
Wage Collection Referee  
P25-55993 Competitive L NL/12  
KC/JT/BP/GB

**TO:**  
Wage Collection Referee  
P26-55993 Competitive L NL/12

**ACTION:**

**B-2 TRENTON LAYOFFS**

The Division of State and Local Operations (SLO), Wahab Onitiri and John Patten request enforcement of the layoff rights determined by SLO for Trenton's September 16, 2011 layoff.

**ACTION:****B-3 DONATED LEAVE PROGRAM, MILLVILLE**

The City of Millville requests that the Civil Service Commission relax the provisions of *N.J.A.C.* 4A:6-1.22(g)1 so that it may implement its Donated Leave Program retroactive to August 1, 2012.

**ACTION:****B-4 BABATUNDE LAWAL**

The City of Elizabeth, on behalf of Babatunde Lawal, requests that the provisions of *N.J.A.C.* 4A:4-2.1(f) be relaxed to allow him to amend his application for the Entry Law Enforcement Examination (S9999M) to the title area of Municipal Police Officer.

**ACTION:****B-5 JEFFREY PROFITT**

The City of Millville requests relaxation of *N.J.A.C.* 4A:4-7.1A(c) so as to permit the intergovernmental transfer of Jeffrey Profitt from the title of Sheriff's Officer, Cumberland County Sheriff's Office, to the title of Police Officer, Millville.

**ACTION:****B-6 GEORGIOS ARMELINOS**

Georgios Armelinos, represented by Kevin D. Jarvis, Esq., appeals the decision of the former Division of State and Local Operations, which upheld the removal of his name from the eligible list for Correction Officer Recruit (S9999K), Department of Corrections, on the basis of an unsatisfactory driving record.

**ACTION:**



**B-7 OWEN INGENITO**

Owen Ingenito appeals the determination of the Division of Selection Services which denied his admittance to the promotional examination for Police Lieutenant (PM5085N), Atlantic City due to a late application.

**ACTION:**

**B-8 SAMMY NATAL**

Sammy Natal appeals the decision of the former Division of State and Local Operations which upheld the removal of his name from the eligible list for Correction Officer Recruit (S9999F), on the basis of an unsatisfactory background report.

**ACTION:**

**B-9 ROBERT WOELPPER**

Robert Woelpper appeals the determination of the Division of Selection Services which denied his admittance to the promotional examination for Sheriff's Officer Lieutenant (PC0998N), Union County due to a late application.

**ACTION:**

**B-10 JOSE GONZALEZ**

The Department of Human Services requests that Jose Gonzalez's out-of title experience be accepted to qualify him for a prospective promotional examination for the title of Chief, Contract Administration Section.

**ACTION:**

**B-11 AYDEE HEREDIA**

The Motor Vehicle Commission requests that Aydee Heredia's out-of-title experience be accepted to qualify her for a prospective promotional examination for the title of Senior Training Technician.

**ACTION:**

**B-12 FRANCIS DITSCHÉ**

Francis Ditsche requests that his name be added to the applicant pool for the Entry Level Law Enforcement Examination (S9988M).

**ACTION:**

**B-13 ERIC DOOLEY**

Eric Dooley, represented by D. William Subin, Esq., appeals the decision of the Division of Selection Services denying his request for a makeup examination for Police Chief (PM0292P), Atlantic City.

**ACTION:**

**B-14 BRUCE STEVENS**

Bruce Stevens appeals the determination of the Division of Selection Services and Recruitment denying his request for a makeup examination for Battalion Fire Chief (PM0138P), Elizabeth.

**ACTION:**

**B-15 AKILANDESWARI VIJAYAKUMAR**

Akilandeswari Vijayakumar appeals the denial by the Division of Selection Services of his request for a makeup examination for the Entry Level Law Enforcement Examination (S9999M) and (S9988M).

**ACTION:**

**B-16 SUSAN MILLER**

Susan Miller appeals the decision of the Division of State and Local Operations that the proper classification of her position with the Motor Vehicle Commission is Management Assistant. The appellant seeks an Administrative Analyst 2 or Administrative Analyst 2, Data Processing, classification.

**ACTION:**

**B-17 DENISE SENTEK**

Denise Sentek appeals the February 25, 2011 decision of the Division of State and Local Operations which found that her position with the Department of Community Affairs is properly classified as Technical Assistant 2, Community Affairs. The appellant seeks a Technical Assistant 1, Community Affairs job classification.

**ACTION:**

**B-18 DARLENE SMITH**

Darlene Smith appeals the June 29, 2010 and July 18, 2011 decisions of the Division of State and Local Operations which found that her position with the Department of Children and Families is correctly classified as Communications Systems Technician 2. She seeks a Technical Support Specialist 1 classification. The appellant further requests a stay of the implementation of the above decisions pending the outcome of the Civil Service Commission's decision regarding the classification of the position.

**ACTION:**

**B-19 AIDE TO THE MAYOR**

The Division of Classification and Personnel Management requests that the Civil Service Commission consider increasing the number of appointments a mayor may make to the unclassified title of Aide to the Mayor.

**ACTION:**

**B-20 BUILDING MAINTENANCE WORKER/SECURITY GUARD (M2344N),  
ORANGE PUBLIC LIBRARY**

The Orange Public Library requests permission not to make an appointment from the February 22, 2012 certification for Building Maintenance Worker/Security Guard (M2344N).

**ACTION:**

**B-21 FIELD REPRESENTATIVE, HEALTH EDUCATION (M0146L), EAST ORANGE**

East Orange requests permission not to make an appointment from the January 4, 2010 certification for Field Representative, Health Education (M0146L).

**ACTION:**

**B-22 FIRE INSTRUCTOR (C2201N), BERGEN COUNTY**

The Division of Classification and Personnel Management requests that the Civil Service Commission order Bergen County to return the December 15, 2011 certification of the eligible list for Fire Instructor (C2201N) for proper disposition.

**ACTION:**

**B-23 MANAGER 1, INFORMATION PROCESSING (M0255K), NEWARK**

The Division of Classification and Personnel Management seeks enforcement of the Civil Service Commission decision rendered on November 22, 2011, which ordered Newark to immediately dispose of the September 22, 2010 certification of the Manager 1, Information Processing (M0255K) eligible list pursuant to *N.J.A.C. 4A:4-4.2 (c)2i*, immediately remove Peter Lutz, against whom a salary disapproval was issued, and remit \$1,000 in compliance costs within 30 days from the issuance of the decision.

**ACTION:**

**B-24 PERSONNEL ASSISTANT 1, (PS5930K), DEPARTMENT OF CHILDREN AND FAMILIES**

The Department of Children and Families requests the revival of the eligible list for Personnel Assistant 1, (PS5930K) to allow it the opportunity to permanently appoint Sherbria Smith.

**ACTION:**

**B-25 PURCHASING AGENT (M0595L), WEST NEW YORK**

The Division of Classification and Personnel Management petitions the Civil Service Commission for enforcement of the decision rendered on November 2, 2011, wherein the Commission ordered the appointing authority properly dispose of the September 8, 2009 certification (OL091211) of the eligible list for Purchasing Agent (M0595L).

**ACTION:**

**B-26 RECREATION SUPERVISOR (M2118N), NEWARK SCHOOL DISTRICT**

Newark School District requests permission not to make an appointment from the January 23, 2012 certification for Recreation Supervisor (M2118N).

**ACTION:**

**B-27 SOCIAL WORKER (PC0097L), BERGEN COUNTY BOARD OF SOCIAL SERVICES**

The Bergen County Board of Social Services requests the revival and extension of the eligible list for Social Worker (PC0097L).

**ACTION:**

**B-28 SOCIAL WORKER, INSTITUTIONS (C0620M), ESSEX COUNTY**

Essex County requests permission not to make an appointment from the August 12, 2011 certification for Social Worker, Institutions (C0620M).

**ACTION:**

**B-29 SOCIAL WORKER (PC0078N), UNION COUNTY**

Union County requests permission not to make an appointment from the February 10, 2012 certification for Social Worker (PC0078N).

**ACTION:**

**B-30 TYRONE BROWN**

The appeal of Tyrone Brown, a County Correction Officer with the Gloucester County Department of Correctional Services, of his removal effective November 9, 2011, on charges, was heard by Administrative Law Judge Donald J. Stein, (ALJ), who rendered his initial decision on July 12, 2012. At its meeting on August 15, 2012, the Civil Service Commission adopted the ALJ's recommendation to uphold the appellant's removal. However, the Commission found it necessary to address the exceptions and cross exceptions filed by the parties. The proposed final decision is now submitted for the Commission's review.

**ACTION:****B-31 DARLENE HINTON-WILKERSON**

The appeal of Darlene Hinton-Wilkerson, a Human Services Technician with Trenton Psychaitric Hospital, Department of Human Services, of her removal effective January 13, 2011, on charges, was heard by Administrative Law Judge Tiffany M. Williams (ALJ), who rendered her initial decision on June 14, 2012. At its meeting on August 15, 2012, the Civil Service Commission did not adopt the ALJ's recommendation to dismiss the charges and reverse the removal. Rather, the Commission imposed a 30 working day suspension. The proposed decision is now submitted for the Commission's review.

**ACTION:****B-32 LOUIS MUZYKA**

The appeal of Louis Muzyka, a Police Sergeant with the Borough of Carteret, of his 12 working day suspension, on charges, was heard by Administrative Law Judge Kimberly A. Moss (ALJ), who rendered her initial decision on July 16, 2012. At its meeting on August 15, 2012, the Civil Service Commission did not adopt the ALJ's recommendation to modify the 12 working day suspension to an eight working day suspension. Rather, the Commission upheld the 12 working day suspension. The proposed final decision is now submitted for the Commission's review.

**ACTION:**

**B-33 CHARLES AMICONE**

The Borough of Woodlynne, on behalf of Charles Amicone, requests reconsideration of the final administrative determination in *In the Matter of Charles Amicone* (CSC, decided July 11, 2012), which found that Mr. Amicone was not permitted to amend his application after the closing date for the Entry Level Law Enforcement Examination (S9999M).

**ACTION:**

**B-34 SONIA GIRON**

Sonia Giron, a former Police Officer with Jersey City, represented by Ciro A. Spina, III, Esq., petitions for reconsideration of the final decision rendered on October 19, 2011, which upheld her removal.

**ACTION:**

**B-35 SHERMAN MCCRAY**

Sherman McCray requests reconsideration of the final administrative determination in *In the Matter of Sherman McCray* (CSC, decided June 1, 2011), in which the Civil Service Commission upheld the McCray's seven-day suspension, 10-day suspension and demotion.

**ACTION:**

**B-36 GILBERT REED**

The Department of Corrections, represented by Kathleen Asher, Esq., requests reconsideration of the Civil Service Commission's December 7, 2011 decision which found that the appointing authority had not met its burden of proof that Gilbert Reed is medically unfit to perform effectively the duties of Correction Officer Recruit.

**ACTION:**

**B-37 PETER CORBO, ET AL.**

Peter Corbo and Michael Cozine, Jr. appeal the decisions of the Division of Selection Services that found that the appellants lacked the required amount of permanent status in a title to which the examination was open for Sheriff's Officer Captain (PC0989N), Essex County, while Cecil Barker, Edward Esposito, and John Tulley III appeal the decisions of the Division of Selection Services that found that the appellants lacked the required amount of permanent status in a title to which the examination was open for Sheriff's Officer Lieutenant (PC0993N), Essex County.

**ACTION:**

**B-38 TODD DANKINS**

Todd Dankins appeals the determination of the Division of Selection Services which found him ineligible for the promotional examination for Police Lieutenant (PM5055N), Orange.

**ACTION:**

**B-39 EDWARD J. DOERING, III**

Edward J. Doering, III appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Tree Superintendent (PM1117N), Woodbridge.

**ACTION:**

**B-40 DONNA DUINO**

Donna Duino appeals the determination of the former Division of Selection Services that she did not meet the experience requirement for the promotional examination for Unemployment Insurance Clerk, Reemployment Call Center (PS3088N), Department of Labor and Workforce Development.

**ACTION:**



**B-41 CHERYL D. GODDARD, ET AL.**

Cheryl D. Goddard, Shakera J. Hilton, Dorothea Irvin, and Georgette L. Williams appeal the determinations of the Division of Selection Services which found that they did not meet the requirements for the open competitive examination for Employment Specialist (C2179N), Essex County.

**ACTION:**

**B-42 MARK HANDLER**

Mark Handler, represented by Richard L. Press, Esq., appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the open competitive examination for the title of Employment Specialist (C0084P), Atlantic County.

**ACTION:**

**B-43 SILVIA M. HIBBS**

Silvia M. Hibbs appeals the determination of the Division of Selection Services which found that she did not meet the requirements for the promotional examination for Personnel Assistant 3, Division of State Police, Department of Law and Public Safety.

**ACTION:**

**B-44 JOHN MALESKI**

John Maleski appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he did not meet the requirements for the promotional examination for Supervisor of Operations (PS5819U), Office of Information Technology.

**ACTION:**

**B-45 GREGORY V. POLICASTRO**

Gregory Policastro appeals the determinations of the former Division of Selection Services that he did not meet the experience requirements for the examination for Head Cook 1 (S0161P) and Head Cook 2 (S0179P).

**ACTION:**

**B-46 CHRISTOPHER POSSUMATO**

Christopher Possumato appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he was below the minimum requirements in experience for the promotional examination for Attendance Counselor (PM1157N), Vineland School District.

**ACTION:**

**B-47 VICTOR B. TERENIK, JR.**

Victor B. Terenik, Jr., appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the promotional examination for Director of Data Processing (PM0693N), City of Vineland.

**ACTION:**

**B-48 SHANNON WILKINS**

Shannon Wilkins appeals her score on the Entry Level Law Enforcement Examination (S9999M).

**ACTION:**

**B-49 JEFFREY P. ZIGRAND**

Jeffrey P. Zigrand appeals the determination of the former Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Customer Service Representative 1 (PS5263G), Department of Environmental Protection.

**ACTION:**

**B-50 PROPOSED AMENDMENT: N.J.A.C. 4A:6-1.2, PAID LEAVE BANK PROGRAM**

Submitted for the Commission's approval is a Notice of Adoption of a proposed amendment to N.J.A.C. 4A:6-1.2, which would delete the paid leave bank provisions. The paid leave bank provisions were recommended for deletion as a result of the recent Superior Court, Appellate Division, decision in *Communications Workers of America, AFL-CIO, et al. v. New Jersey Civil Service Commission*, Docket No. A-1110-10T3 (January 18, 2012), which reversed the Commission's adoption of the paid leave bank amendments to the vacation leave rule at N.J.A.C. 4A:6-1.2. No comments were received during the public comment period. Therefore, it is recommended that this proposal be adopted without change.

**ACTION:**

**B-51 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Civil Service Commission minutes of its meeting of August 15, 2012.

**ACTION:**

**B-52 LISA KING**

Lisa King, a Sergeant (112 Day Pay Status) with the Division of State Police, Department of Law and Public Safety, appeals the determination of the Chief of Staff, Office of the Attorney General, which found that the appellant did not present sufficient evidence to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

**ACTION:**